

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	Chapter 11
)	
TWC LIQUIDATION TRUST,)	Case No. 18-10601 (MFW)
)	
Debtor.)	
)	
<hr/>		
)	Adv. Proc. No. 22-50476 (MFW)
Dean A. Ziehl, in his capacity as trustee of the TWC)	
LIQUIDATING TRUST,)	
)	
Plaintiff,)	
)	
v.)	
)	
ANDREW R. VARA, in his capacity as the United States)	
Trustee for Region 3; RAMONA D. ELLIOTT, in her)	
capacity as Acting Director of the United States Trustee)	
Program; and the UNITED STATES TRUSTEE)	
PROGRAM,)	
)	
Defendants.)	
)	

SUMMONS AND NOTICE OF PRETRIAL CONFERENCE IN AN ADVERSARY PROCEEDING

YOU ARE SUMMONED and required to file a motion or answer to the complaint which is attached to this summons with the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days.

Address of Clerk: United States Bankruptcy Court
824 Market Street, 3rd Floor
Wilmington, DE 19801

At the same time, you must also serve a copy of the motion or answer upon the plaintiffs' attorney. Name and Address of Plaintiffs' Attorneys:

PACHULSKI STANG ZIEHL & JONES LLP
Colin R. Robinson (DE Bar No. 5524)
Jason H. Rosell (admitted *pro hac vice*)
Gail S. Greenwood (admitted *pro hac vice*)
919 North Market Street, 17th Floor
P.O. Box 8705
Wilmington, DE 19899-8705 (Courier 19801)
Telephone: (302) 652-4100
Facsimile: (302) 652-4400
Email: crobenson@pszjlw.com
jrossell@pszjlw.com
ggreenwood@pszjlw.com

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

YOU ARE NOTIFIED that a pretrial conference of the proceeding commenced by the filing of the complaint will be held at the following time and place.



Address: United States Bankruptcy Court Courtroom No. 4

824 Market Street, 5th Floor

Wilmington, DE 19801

Date and Time: February 7, 2023 at 11:30 a.m. (ET)

IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

**United States Bankruptcy
Court for the District of Delaware**

/s/ Una O'Boyle

Clerk of the Bankruptcy Court

Date: December 12, 2022

CERTIFICATE OF SERVICE

I, Colin R. Robinson, certify that I am, and at all times during the service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made. I further certify that the service of this summons and a copy of the complaint and Notice of Dispute Resolution Alternatives was made December 12, 2022 by:

☒ Mail Service: Regular, first class United States mail, postage fully pre-paid and certified mail return receipt, addressed to:

SEE ATTACHED SERVICE LIST

☐ Personal Service: By leaving the process with defendant or with an officer or agent of defendant at:

☐ Residence Service: By leaving the process with the following adult at:

☐ Certified Mail Service on an Insured Depository Institution: By sending the process by certified mail addressed to the following officer of the defendant at:

☐ Publication: The defendant was served as follows: [Describe briefly]

☐ State Law: The defendant was served pursuant to the laws of the State of _____,
as follows: [Describe briefly] (name of state)

Under penalty of perjury, I declare that the foregoing is true and correct.

Dated: December 12, 2022

/s/ Colin R. Robinson

Colin R. Robinson (DE Bar No. 5524)
PACHULSKI STANG ZIEHL & JONES LLP
919 North Market Street, 17th Floor
Wilmington, DE 19899-8705 (Courier 19801)

Weinstein – Service List re US Trustee Fee
Complaint
Case No. 18-10601 (MFW)
Doc. No. 241623
07 – First Class Mail
07 – Certified Mail

**First Class Mail and Certified Mail
Return Receipt**

Ramona D. Elliott, Esq.
Director of the United States Trustee
Program
Executive Office of the United States
Trustee
441 G. Street, N.W., Suite 6150
Washington, DC 20530

**First Class Mail and Certified Mail
Return Receipt**

Andrew R. Vara, Esq.
United States Trustee for Region 3
Office of the United States Trustee
Nix Federal Building
900 Market Street, Room 229
Philadelphia, PA 19107-4228

**First Class Mail and Certified Mail
Return Receipt**

United States Attorney's Office of the
District of Delaware
Attn: Civil Process Clerk
Hercules Building
1313 N. Market Street
Wilmington, DE 19801

**First Class Mail and Certified Mail
Return Receipt**

The United States Trustee Program
Executive Office for the United States
Trustees
c/o Ramona D. Elliot, Esq.
441 G. Street, N.W., SSuite 6150
Washington, DC 20530

**First Class Mail and Certified Mail
Return Receipt**

Merrick B. Garland, Esq.
Attorney General of the United States of
America
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 205330-0001

**First Class Mail and Certified Mail
Return Receipt**

Hannah M. McCollum, Esq. and Jane
Leamy, Esq.
Trial Attorneys
Office of the United States Trustee
U.S. Department of Justice
844 King Street, Suite 2207
Lockbox 35
Wilmington, DE 19801

**First Class Mail and Certified Mail
Return Receipt**

Joseph J. McMahon, Jr., Esq.
Assistant United States Trustee
Office of the United States Trustee
J. Caleb Boggs Federal Building
844 N. King Street, Suite 2207
Lockbox 35
Wilmington, DE 19801

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)	
Defendants.)	
)	

NOTICE OF DISPUTE RESOLUTION ALTERNATIVES

As party to litigation you have a right to adjudication of your matter by a judge of this Court. Settlement of your case, however, can often produce a resolution more quickly than appearing before a judge. Additionally, settlement can also reduce the expense, inconvenience, and uncertainty of litigation.

There are dispute resolution structures, other than litigation, that can lead to resolving your case. Alternative Dispute Resolution (ADR) is offered through a program established by this Court. The use of these services are often productive and effective in settling disputes. **The purpose of this Notice is to furnish general information about ADR.**

The ADR structures used most often are mediation, early-neutral evaluation, mediation/arbitration and arbitration. In each, the process is presided over by an impartial third party, called the “neutral”.

In mediation and early neutral evaluation, an experienced neutral has no power to impose a settlement on you. It fosters an environment where offers can be discussed and exchanged. In the process, together, you and your attorney will be involved in weighing settlement proposals and crafting a settlement. The Court in its Local Rules requires all ADR processes, except threat of a potential criminal action, to be confidential. You will not be prejudiced in the event a settlement is not achieved because the presiding judge will not be advised of the content of any of your settlement discussions.

Mediation/arbitration is a process where you submit to mediation and, if it is unsuccessful, agree that the mediator will act as an arbitrator. At that point, the process is the same as arbitration. You, through your counsel, will present evidence to a neutral, who issues a decision. If the matter in controversy arises in the main bankruptcy case or arises from a subsidiary issue in an adversary proceeding, the arbitration, though voluntary, may be binding. If a party requests *de novo* review of an arbitration award, the judge will rehear the case.

Your attorney can provide you with additional information about ADR and advise you as to whether and when ADR might be helpful in your case.

Dated: December 12, 2022	<u>/s/ Una O’Boyle</u> Clerk of the Court
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